

ENVIRONMENTAL ASSESSMENT
COYNE POINT COMMUNICATION SITE
EA No. OR-030-00-009

I. INTRODUCTION

A. PURPOSE AND NEED

The Oregon Department of Transportation (ODOT) proposes to construct a communication site, which would provide much needed communication services in the Malheur River Canyon. Communication service within portions of the Malheur River Canyon is nil at the present time. Communication service is needed for public safety and responding to highway traffic emergencies, such as automobile accidents. Another purpose of the proposed right-of-way is to provide two-way radio coverage for local, state, and federal governments which have administrative responsibilities within the Malheur River Canyon. There are tentative plans to co-locate a total of three users in the proposed ODOT building which would be ODOT, Bureau of Land Management, and either Oregon State Police or Malheur County Sheriff.

Access to the site would be from either the BLM China Creek Road (#7357) or the Chicken Creek Road (#5756). See current Ingress and Egress access routes discussed below.

The communication site would be located in T. 20 S., R. 40 E., section 34, SW1/4NE1/4 W.M., Malheur County, Oregon, about 35 miles west of Vale, Oregon, or approximately 30 miles east of Juntura, Oregon (refer to the site and location maps).

B. HISTORY OF LAND USE

Historically, Coyne Point has been used for livestock grazing and lies in Allotment #4, West Miller Creek Pasture. The site has no known history of prior communication site use. There is no mineral activity at the present time.

It is estimated that the electronic transmission coverage from Coyne Point has a range of approximately 30 to 40 miles or less, and is limited primarily by the topography of the surrounding country side of the Malheur River Canyon. Because of the location and elevation, the site is good for coverage of the Malheur River Canyon for a short range repeater. A range of approximately 50 miles can be obtained from mountain top to mountain top. Other restrictions include the type and capability of electronic equipment and antenna. The Coyne

Point site may still have some limitations in coverage of the Malheur River canyon and US Highway 20 but is expected to cover 90% of the intended coverage area.

ODOT communication technicians made an extensive evaluation of the canyon area to determine the best location for a new communication site to cover the “dead zones” of the Malheur River canyon. ODOT currently has communication site facilities on Cottonwood Mountain and Black Butte, which serve limited portions of the canyon, but these sites are not able to cover the desired “dead zones” in the Malheur River Canyon. The Coyne Point site was selected because its proximity to the “dead zone” area and its ability to provide approximate 90% coverage of the Malheur River canyon “dead zone” area. There is no other site available that can be as easily accessed and that would have a minimum impact on the visual aspects of the canyon area.

COYNE POINT COMMUNICATION SITE

Table 1 Current and Future Anticipated Communication Site rights-of-way Holders

Serial No.	Holder	Date Granted Approved or Recorded	Type of Improvement
Public Land			
OR-55529	Oregon Department of Transportation (ODOT)	Current Proposed	Communication Site ODOT Building and Tower
OR-	Bureau of Land Mgt	Anticipated	Communication Site Co-locate in ODOT Building and on ODOT Tower
OR-	Oregon State Police or Malheur County Sheriff	Anticipated	Communication Site Co-locate in ODOT Building and on ODOT Tower

Current Ingress and Egress Access Routes to Coyne Point Communication Site

BLM China Creek Road (#7357)

Primary access to the site would be from US Highway 20 via old railroad road bed to the Coyne place, thence north up BLM China Creek Road (# 7357), thence southeast down the ridge road between China Creek and Miller Creek to the end of the road. BLM does not have legal access across the private land parcels along this route. Each right-of-way applicant would have to secure their own legal access across private land parcels.

BLM Chicken Creek Road (#7356)

Another access road to the site is through Harper valley via BLM Chicken Creek Road (#7356), thence west to the junction of China Creek Road (#7357) and Chicken Creek Road (#7356), thence southwest to the junction of China Creek Road (#7357) and ridge road between China Creek and Miller Creek. BLM recommends not using the canal bridge on the Chicken Creek Road. An alternate route around the bridge is available. The BLM does not have legal access across any private land parcels to the site via this route. Each right-of-way applicant would have to secure their own legal access across private land parcels. The alternate route would be the easiest route to bring in construction equipment and materials to the site. BLM Engineer's have inspected the canal bridge and have limited its use by BLM heavy equipment, especially fire pumper.

II. DESCRIPTION OF ALTERNATIVES

A. PREFERRED ALTERNATIVE (PROPOSED ACTION) - ODOT Proposed Right-of-way and future users who would locate in and on ODOT facilities in the future.

The Oregon Department of Transportation proposes to construct a communication site, which would provide much needed communication services in the Malheur River Canyon. Communication service is needed for safety and responding to highway traffic emergencies, such as automobile accidents. Another purpose of the proposed right-of-way is to provide two-way radio coverage for local, state, and federal governments who have administrative responsibilities within the Malheur River Canyon. ODOT proposes to construct a VHF radio communication facility at the site. They have applied for a 50 ft. X 50 ft. right-of-way to construct the following facilities: (a) 8 ft. X 14 ft. prefabricated aggregate or fiberglass building with earthen tone finish, (b) 60 ft. self supporting non-

reflective finish lattice steel tower, (c) solar panels to provide electric power, and chain link fence (future). The building and tower have been designed by ODOT, at BLM's request to accommodate a total of three different users (ODOT, Bureau of Land Management, and Oregon State Police or Malheur County Sheriff). Due to visual sensitivity in the Malheur River Canyon, BLM would limit the number of users and facilities in Malheur River Canyon.

Access to the site would be from either the BLM China Creek Road (#7357) or the BLM Chicken Creek Road (#5756), thence southeast down the ridge road between China Creek and Miller Creek to the end of the road. There may be some limited road maintenance on the China Creek Road where water has caused some soil erosion of the current road bed. Rock material from a near by talus slope would be used only to maintain the damaged road section. Road maintenance would be accomplished by a front end loader.

B. ALTERNATIVE 2 - CONTINUE PRESENT SITUATION (NO ACTION)

To continue the present situation (No Action), there would be no development at Coyne point since the site is not currently developed. Local, State, and federal agencies would continue not to respond as effectively to public safety concerns in the canyon "dead zone" area.

III. DESCRIPTION OF THE AFFECTED ENVIRONMENT

The site is located in the Malheur River Canyon on a site known as Coyne Point approximately 35 miles west of Vale, Oregon, or approximately 30 miles east of Juntura, Oregon, at an elevation of approximately 4170 feet.

The subject lands are part of the semi-arid desert communities typical of eastern Oregon. The vegetation is dominated by blue bunch wheatgrass, Idaho fescue, Sandberg blue grass, phlox, buckwheat, rabbitbrush, and sagebrush. Wildlife consists mainly of small mammals, chukars and raptors, with occasional coyotes, mule deer and elk. Soils are shallow and stoney-gravelly with a loam sandy surface texture. There are many surface stones and rock outcroppings. The terrain is steep and rough off the sides of the mountain. The top is relatively flat where the building and tower would be constructed. There are no mineral leases or mining claims of record.

The land status is public land, administered by the Bureau of Land Management. There are no improvements on the site. Current project development is limited to livestock management fencing. An access road does go to the site. There is no electric power line to the site. The primary electric power source would have to be solar power.

A more comprehensive description of the general area is available in the Unit Resource Analysis (URA) of 1979 for the Northern Malheur Resource Area, the Ironside Environmental Impact Statement (1980) and the draft Southeast Oregon Resource Management Plan (October 1998). All these documents are available for public viewing at the Vale District Office.

A. MANDATORY ITEMS

1. Threatened and Endangered Species

There are no known threatened, endangered or special status species of plants or animals on the subject lands. Refer to the reports in the ODOT Coyne Point Communication Site case file OR-55529.

2. Floodplains and Wetlands

Flood hazards are limited to seasonal runoff, and largely confined to the drainages. There are no floodplains or wetlands on the subject lands.

3. Wilderness Values

There are no wilderness values associated with the subject lands.

4. Areas of Critical Environmental Concern

The subject lands are not within an Area of Critical Environmental Concern.

5. Scenic (Visual) Values

The subject lands have a VRM class II classification, which has the following VRM objective: to retain the existing character of the landscape. The level of change to landscape characteristics should be low. Management activities may be seen but should not attract the attention of a casual observer. Any changes must conform to the basic elements of form, line, color, and texture found in the predominant natural features of the characteristic landscape.

6. Water Resources

Surface water is usually associated with runoff resulting from precipitation and snow melt occurring mostly in the spring and fall seasons. Subsurface water has not been tapped, and there are no water storage

facilities. Because of the elevation, the site can be snow covered from November through March.

7. **Air Quality**

Air quality on the subject lands is generally high. The principal sources of air pollution come from dust storms and range wildfires which are set by dry lightening storms or residue burning on agricultural lands in the Malheur River Valley of the lower Treasure Valley Area.

8. **Cultural and Historical Resource Values**

A Class III examination for cultural resources was conducted on June 12, 2000. No prehistoric or historical resources were found. For additional information, refer to the cultural resources report in the realty case file. The report is also on file in the resource area office.

9. **Paleontology Resources**

None are known to exist on the subject lands.

10. **Prime or Unique Farm Lands**

There is none on the subject land.

11. **Wild and Scenic Rivers**

There is none on the subject lands.

12. **Environmental Justice**

There is no effect.

13. **Native American Religious Concerns**

There is none known.

14. **Hazardous Waste**

There is none on the subject land.

15. **Invasive and Noxious Weeds**

There are no known invasive and noxious weeds located on the subject land.

B. **CONSISTENCY WITH LAND USE PLANS**

1. **Northern Malheur MFP and Draft Southeast Oregon RMP**

Lands (L-6.1) Recommendation - Retain public lands which are presently being used for communication site purposes. Lands (L-6.2)

Recommendation - Survey the exterior boundaries, establish bench marks, develop and implement an operating plan on all existing communication sites. The Draft Southeast Oregon Resource Management Plan, as identified in the Lands Appendix L, Table L-2, lists the Coyne Point site as a site to complete a future communication site plan.

The right-of-way conforms with the Management Framework Plan (MFP- Lands recommendation L-6.1 and L-6.2) for the Northern Malheur Resource Area. Also, the right-of-way conforms with the draft Southeast Oregon Resource Management Plan (RMP) as identified in the Lands Appendix L, Table L 2, which received public review and comment.

2. **Malheur County land use plans**

The subject lands are classified as ERU (Exclusive Range Use) in the county zoning ordinance which permits the development of utility facilities.

3. **Statewide goals and objectives**

The proposal is consistent with applicable statewide goals and objectives.

IV. **ANALYSIS OF ALTERNATIVES**

A. **ENVIRONMENTAL IMPACTS OF THE ALTERNATIVES**

1. **Preferred Alternative (Proposed Action) - ODOT Proposed Right-of-way and future users would will locate in and on ODOT facilities in the future.**

Intensive use of the site for communication purposes would increase the probability of electronic interference as the amount of electronic equipment proximate to each other increases. The degree of interference would therefore govern how close to one another electronic equipment installations could be operated.

The proposed facility would be slightly visible for short distances from US Highway 20. The addition of a new building, solar panels and/or antenna would detract slightly from the scenic quality of the area. The facility is being designed to accommodate three different users within the same building and occupy the same antenna tower structure. The site would be limited to one building and tower structure. There would be some soil disturbance and removal of vegetation for construction of the building, solar panels and antenna tower. The building would be a prefabricated aggregate or fiberglass building with an earthen tone finish. The tower height would be limited to 60 feet. It would be a self supporting lattice steel tower with a non-reflective finish. The solar panels would be located beside the building structure.

Livestock use could cause erosion around the base of the building foundations and rubbing on tower structures. Fencing critical improvements would eliminate these problems whenever and if they occur. Fencing may be required by the right-of-way applicant to reduce vandalism and provide protection to their facilities at the site. There would be some soil disturbance and removal of vegetation around each post hole. Generally, galvanized steel chain link fences are used around communication site facilities.

New construction would occur at the site. There would be impacts on soil and vegetation, but this would be localized and minimal because of the shallow soil and sparse vegetation. Impacts on wildlife would be negligible. Traffic and visitor disturbance to the site would be negligible because access is limited by steep terrain and remoteness ; the access road is a truck or four wheel drive vehicle road and not a passenger car road. Because of the limited access, maintenance has been minimal on the road. There may be some limited road maintenance on the China Creek Road where water has caused some soil erosion of the current road bed. Rock material from a near by talus slope would be used to repair the road. There would be some soil/rock disturbance in the talus rock area. Road maintenance can be accomplished by a front end loader.

There would be the potential of bringing in noxious weed seed on construction equipment or on vehicles traveling to the site. This same

potential would exist with recreationist visitors who use the same roads and the site throughout the year.

2. Alternative 2 (No Action) - Continue Present Situation

To continue the present situation (No Action), there would be no development at Coyne point since the site is not currently developed. Local, State, and federal agencies would continue not to respond effectively to public safety concerns in the canyon “dead zone” area. This results in a longer response time to get medical help to automobile accident victims.

B. PROPOSED MITIGATING MEASURES FOR THE PROPOSED ACTION

In order to control interference, only low power, (i.e., 250 watts or less of transmitter power) facilities would be allowed, with antenna tower height limited to 60 feet above the ground level. It would be the responsibility of each grant holder to mitigate the interference generated by his equipment. The holder would be required to conform with FCC requirements, or the Interdepartmental Radio Advisory Committee (IRAC) requirements, if use is by the Federal government.

The building and tower would be limited to a total of three different users (ODOT, Bureau of Land Management, and Oregon State Police or Malheur County Sheriff).

Any non-profit and /or governmental entity located in a multiple or single user facility would be required to file for a right-of-way with the BLM.

The building facility would be constructed on a concrete foundation or concrete piers with either a commercial prefabricated rock aggregate building or prefabricated fiberglass building with an earthen tone finish. Prefabricated or stick built metal and frame buildings will not be allowed. Exterior surfaces would be colored to blend with surrounding vegetation, rock color, and soil color. Color determination would be made by the Authorized Officer. The structure would meet local building codes.

A free standing steel lattice type antenna tower would be the preferred tower type. The antenna tower would have a non-reflective finish.

Antennas and supports would be constructed of non-reflecting material. All equipment would be properly grounded, and all wiring, switching, grounding, and other materials and electronic equipment will meet the National Electrical Safety Code and other industry standards.

Radio Frequency Energy Exposure would comply with American National Standard Institute (ANSI) C 95 1-1992 and National Council for Radiation Protection (NCRP) Report 86.

Electrical power line cables from any on site generator/solar panels would be buried from the power source to the communication site structure or placed in a plastic conduit and covered with soil and/or rocks and marked with signs.

The right-of-way holder (ODOT) may not enter into a third party agreement without the written consent of BLM.

The right-of-way holder would be required to maintain its site and keep it clean. Soils disturbed during construction would be reseeded with weed free seed.

BLM would continue its responsibility for maintaining the BLM access roads except for plowing snow. BLM's road maintenance cycle is every 4 years. Winter access to the site is not guaranteed. Any desired road maintenance by the right-of-way holder (ODOT) on the BLM road would require prior authorization from the BLM Authorized Officer. If the access road is rutted by the right-of-way holder during construction or by use of the site, the right-of-way holder would be required to perform maintenance on the access roads at the Authorized Officers discretion.

In order to reduce erosion damage as well as any physical damage around communication site structures by livestock, the communication site would be fenced.

The use of gasoline and diesel generating equipment or similar types of fuel would not be allowed. The use of propane fuel and solar power would be allowed.

The communication site would be located as to avoid as much visual impacts from Highway 20 as possible in order to meet the objectives of VRM Class II. Non-reflective finishes on tower and metal surfaces would be required and building surface would be either painted and/or have a dark exposed aggregate rock surface.

Presently the proposed communication site area is noxious weed free. Since there is the potential of bringing in noxious weed seed on construction equipment or on vehicles traveling to the site, construction equipment would be required to be washed before entering the construction site.

C. RESIDUAL IMPACTS OF THE PROPOSED ACTION

Some limited visual impacts would be added. This increase is permissible within the visual Class II area. Use of the access roads and the number of visits to the site would increase. More activity at the site would disturb grazing livestock, but this disturbance would probably be confined to the area near the improvements. Loss of AUMs by the addition of new facilities would be insignificant, with less than 400 sq. ft. of range expected to be lost. However, when the site is fenced there will be a loss of AUMs on approximately 0.05 surface acres which would be less than one AUM.

D. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Native vegetation would be destroyed and there would be some potential for permanent soil loss from construction and increased use of the site. The addition of a new facility would slightly affect VRM quality within the Malheur River Canyon area. Rights-of-way are not irreversible; the site can be restored to a natural state.

V. PERSONS, GROUPS AND AGENCIES CONSULTED

- A. Right-of-way holder and potential users (See Table 1)
- B. Oregon State Historic Preservation Officer, Salem, Oregon

VI. INTENSITY OF PUBLIC INTEREST

No objections have been offered to the implementation of the proposed action.

VII. PARTICIPATING STAFF

Roy Masinton, Malheur Field Office Manager
Sheldon Saxton, Realty Specialist and District Communication Site Manager
Dick Thompson and Dan Hukill, Communication Specialists/Technicians
Bob Alward, Outdoor Recreation Planner
Vern Pritchard, Supervisory Civil Engineer
Diane Pritchard, Archaeologist
Bill Holsheimer, Geologist
Jean Findley, Botanist
Randy Eyre, Planning and Environmental Coordinator

Steve Christensen, Range Management Specialist
Jon Freeman, Realty Specialist
Richard, Martinez, Engineer Technician
Albert Bammann, Wildlife Biologist
Shaney Rockefeller, Hydrologist

VIII. FINDING OF NO SIGNIFICANT IMPACT

On the basis of the information contained in this EA and all other information available, it is my determination that the proposed action is in conformance with the land use plan for the area and does not constitute a major federal action significantly affecting the quality of the human environment and that as EIS is not required.

s/Roy Masinton

Malheur Field Office Manager

08/28/00

Date

IX DECISION RECORD

On the basis of the information in this EA (OR-030-00-009) and all other information available, it is my decision to implement the proposed action as described.

S/Roy L. Masinton
Malheur Field Office Manager

09/19/00
Date

Exhibit A

T. 20 S., R. 40 E.

**Coyne Point
Communication Site Road**

**Coyne Point
Communication Site**

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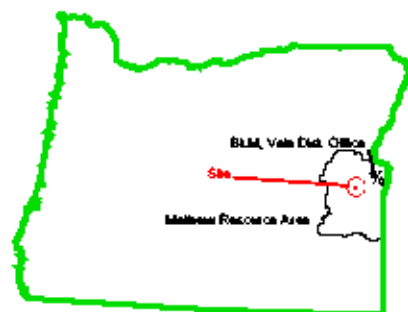
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No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

 District Boundary

Land Ownership

-  Bureau of Reclamation
-  Federal Energy Regulatory Commission
-  U.S. Forest Service
-  Bureau of Land Management
-  Private
-  State of Oregon



Coyne Point Communication Site

EXHIBIT B
OR 55529
RIGHT-OF-WAY GRANT STIPULATIONS

August 11, 2000

1. Use of pesticides shall comply with the applicable Federal and State laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the holder shall obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer prior to such use. Emergency use of pesticides shall be approved in writing by the authorized officer prior to such use.
2. "PURSUANT TO 43 CFR 10.4 (g) the holder of this authorization will notify the authorized officer of the Bureau of Land Management, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4 (c) and (d), the holder will stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer."
3. The holder shall protect all survey monuments found within the right-of-way. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic Benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, the holder shall immediately report the incident, in writing, to the authorized officer and the respective installing authority, if known. Where General Land Office or Bureau of Land Management right-of-way monuments or references are obliterated during operations, the holder shall secure the services of a registered land surveyor or a Bureau cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of Public Lands in the United States, latest edition. The holder shall record such survey in the appropriate county and send a copy to the authorized officer. If BLM cadastral surveyors or other Federal Surveyors are used to restore the disturbed survey monument, the holder shall be responsible for the survey cost.
4. Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes and equipment.

5. The holder of Right-of-Way OR- 55529 agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et seq. or the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901 et seq.) on the right-of-way (unless the release or threatened release is wholly unrelated to the right-of-way holder's activity on the right-of-way). This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.
6. Thirty days prior to termination of the right-of-way, the holder shall contact the authorized officer to arrange a joint inspection of the right-of-way. This inspection will be held to agree to an acceptable termination (and rehabilitation) plan. This plan shall include, but is not limited to, removal of facilities, drainage structures, or surface material, re-contouring, top soiling, or seeding. The authorized officer must approve the plan in writing prior to the holder's commencement of any termination activities.
7. The holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this grant to the fullest extent allowed under Oregon law.

SITE SPECIFIC STIPULATIONS

8. The electronic installation authorized by this grant shall be operated in conformance with the requirements of the FCC. If the holder's FCC license expires, is revoked, or otherwise terminated, the holder must cease electronic transmission. However, the holder remains subject to the provisions of the Grant.
9. The holder will operate within the parameters of any future Coyne Point Communications Management Plan.
10. The fuel supply for emergency electrical generating equipment will be limited to propane. Solar energy would be permitted.
11. In order to control interference, only low power, (ie., 250 watts or less of transmitter power) facilities would be allowed, with antenna tower height limited to 60 feet above the ground level. It would be the responsibility of each grant holder to mitigate the interference generated by his equipment. The holder would be required to conform with FCC requirements, or the Interdepartmental Radio Advisory Committee (IRAC) requirements, if use is by the Federal government. If the holder does not eliminate such interference within 10 days of receipt of notice from the authorized officer, the operations causing the interference, as determined by the authorized officer, shall be terminated by the holder.

12. The holder shall at all times operate its radio-electronic equipment in such a manner as not to cause interference with radio-electronic operations of the Bureau of Land Management or other communication facilities of the United States Government or existing users in the vicinity. If such interference results from holder's operations, holder shall promptly, at its own expense and without cost to the United States, modify its equipment and operations, or shut it down if necessary, to eliminate or reduce the interference to the satisfaction of the Bureau of Land Management and any other operating Federal agency.
13. The holder shall take measures necessary to eliminate interference to other site users.
14. It shall be the responsibility of the holder to ascertain whether existing facilities on the same or adjoining sites will adversely affect the proposed operations. Holder will accept operations, i.e., frequencies, emissions, power output, radiation fields, antenna arrays, etc., of existing facilities on the same or adjoining sites, provided such operations are consistent with the regulations of the Federal Communications Commission, if a non-Federal use, and Standards of the Interior Department Radio Advisory Committee if a Federal use.
15. The authorized officer or his/her delegated representative shall have the right to inspect the site jointly with the holder or its representative at any time to insure compliance with the terms, conditions and stipulations of the right-of-way herein granted.
16. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment and support vehicles. If such equipment creates ruts in excess of three (3) inches deep, the soil shall be deemed too wet to adequately support construction equipment and support vehicles.
17. The holder is allowed ingress and egress across Public Land to the site for construction, use and maintenance as part of the right-of-way grant, and subject to the provisions of the grant. It is the responsibility of the holder to obtain the necessary legal ingress and egress access across private lands. The China Creek Road (BLM Rd. #7357-000) access road and the ridge road between China Creek and Miller Creek is considered to be the primary access route. However, the Chicken Creek Access Road (BLM Rd. #7356) is considered to be an alternate road for construction purposes. BLM recommends not using the canal bridge on the Chicken Creek Road. BLM engineers have inspected the bridge and have limited its use by BLM heavy equipment, especially fire pumpers. An alternate route around the bridge is available.
18. The holder of Right-of-Way OR-55529 shall submit a copy of its FCC license for the Coyne Point Site to the Bureau of Land Management within 90 days from the issuance of the grant.

19. Electrical power line cables from any on site generator/solar panels would be buried from the power source to the communication site structure or placed in a plastic conduit and covered with soil and/or rocks and marked with signs.
20. Site facilities, including antenna structures and equipment buildings, shall be inspected annually and maintained in proper working condition.
21. The holder shall seed all disturbed areas with the seed mixture(s) listed below. The seed mixture(s) shall be planted in the amounts specified in pounds of pure live seed (PLS)/acre. There shall be no primary or secondary noxious weed seed in the seed mixture. Seed shall be tested/inspected for presence of weed seed and the viability testing of seed shall be done in accordance with State law(s) and within six months prior to application. Commercial seed shall be wither certified or registered seed. The seed mixture container shall be tagged in accordance with State law(s) and available for inspection by the authorized officer.

Seeding shall be broadcast and the area shall be raked or chained to cover the seed. When broadcasting the seed, the pounds per acre is noted below. The seeding will be repeated until a satisfactory stand is established as determined by the authorized officer. Evaluation of growth will not be made before completion of the first growing season after seeding. The authorized officer is to be notified a minimum of 15 days prior to seeding of the project.

Seed Mixture

Species of seed	Variety	Pounds/Acre PLS
Bluebunch wheatgrass	Agropyron spicatum Variety: Secar or Whitmar	5 lbs/Acre PLS
Idaho Fescue	Festuca idahoensis	5 lbs/Acre PLS

Total 10 lbs/acre PLS (broadcast rate) for each species

Pure Live Seed (PLS) formula: Percent of purity of seed mixture **TIMES** percent germination of seed mixture **EQUALS** portion of seed mixture that is PLS.

22. Any excess soil resulting from construction activities would be spread out over the immediate area of the construction site, contoured to the terrain and the disturbed areas seeded to a native grass species listed above. Any large rocks (12 inches in size) excavated within the right-of-way area will be removed from the site or to an area approved by the Authorized Officer.
23. The antenna tower will be a self support steel lattice type tower and will have a non-reflective finish. The galvanized tower will be treated to dull the finish.

24. The building facility would be constructed on either a concrete foundation or concrete piers with either a commercial prefabricated rock aggregate building or prefabricated fiberglass building with an earthen tone finish. The prefabricated exposed rock aggregate or fiberglass building would have a non-reflective finish. The color of the exposed rock aggregate would be dark brown or fiberglass building with an earthen tone finish and/or a color determined by the Authorized Officer.
25. Any other non-profit and/or governmental entity who may want to occupy the building and tower space on and within the ODOT facility on Coyne Point communication site would be required to file for a right-of-way with the BLM with Oregon Department of Transportation concurrence.
26. The building and tower would be limited for a total of three different users (ODOT, Bureau of Land Management, and Oregon State Police or Malheur County Sheriff).
27. Since there is the potential of bringing in noxious weed seed on construction equipment or vehicles traveling to the site during the construction phase, it is required that construction equipment and associated vehicles will be washed before entering the communication site area. Before entering the site with construction equipment, please notify the BLM three days ahead of time for the Authorized Officer's washing instructions.
28. The communication site will be fenced with a galvanized chain link type fence. The fence will be located within the right-of-way grant area.
29. BLM would continue it's responsibility for maintaining the BLM access roads, except for plowing snow. BLM's road maintenance cycle is every 4 years. Winter access to the site is not guaranteed. Any desired road maintenance by the right-of-way holder (ODOT) on the BLM road would require prior authorization from the BLM Authorized Officer. If the access road is rutted by the right-of-way holder during construction or by use of the site, the right-of-way holder would be required to perform maintenance on the access roads at the Authorized Officers discretion.
30. The communication site would be located as to avoid as much visual impacts from Highway 20 as possible in order to the objectives of VRM Class II. Non-reflective finishes on tower and metal surfaces would be required and building surface would be in accordance to Item 24 (above).